IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 23RD NOVEMBER 2006 / 2ND AGRAHAYANA 1928

WP(C).No. 30221 of 2006(W)

PETITIONER:

V.T. BAIJU, S/O. GOPALAKURUP,
DEVI NIVAS, POST THALAKULATHUR, VIA. ATHOLI,
KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN
SRI.P.S.PRADEEP

RESPONDENTS:

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1. KERALA STATE CO-OPERATIVE BANK LTD.,
KOZHIKODE BRANCH REPRESENTED BY ITS SENIOR MANAGER
KOZHIKODE.

2. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
KOZHIKODE.

3. SPECIAL DEPUTY TAHSILDAR
(ARREARS COLLECTION), KOZHIKODE.

4. DISTRICT COLLECTOR, KOZHIKODE.

BY ADV. SRI.P. RAMAKRISHNAN, SC,KSCO-OP B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2006, ALONG WITH WPC.NO.25089/06, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 FINAL NOTICE NO.CBR/RHL 17/8890 DT 3.11.06 ISSUED BY R1.

P2 RR NOTICE DT.5.3.06 FROM R3.

P3 REPRESENTATION SUBMITTED TO THE DISTRICT COLLECTOR DT.27.9.06

TRUE COPY

P.A. TO JUDGE

C.N. RAMACHANDRAN NAIR, J.

W.P. (C) Nos. 30221 W and 25089 J OF 2006

Dated this the 23rd day of November, 2006

J U D G M E N T

Petitioner in WP(C) No.30221/06 is the 3rd respondent in WP (C) No.25089/06, which was filed by the petitioner in that writ petition contending that the 3rd respondent is liable to pay arrears of contribution to Motor Transport Workers Welfare Fund. Since the petitioner in WPC.30221/06, who is the 3rd respondent in the other writ petition has admitted liability, WP(C) No.25089/06 is allowed cancelling the demand against petitioner therein. So far as WP(C) No.30221/06 is concerned, the petitioner undertakes to clear arrears of Motor Transport Workers Welfare Fund and accrued arrears due to the 1st respondent Bank in instalments. WPC.30221/06 is disposed of granting 15 equal monthly instalments to the petitioner to clear the Motor Transport Workers Welfare Fund. The first instalment will be paid on or before 10.12.2006 and balance instalments on or before 10th day of succeeding 14 months. So far as the arrears due to the Bank is concerned, time is given up to 31.12.06 to clear the accrued arrears in instalments and interest thereon. If the petitioner pays arrears before 31.12.06, there will

be a direction to the 1st respondent to permit the petitioner to pay the balance in instalments in terms of the loan agreement. However, if the petitioner commits default in payment of the arrears or any of the instalments as above, the benefits granted herein will stand automatically vacated. All steps for recovery will be withheld for compliance and can be continued for default.

(C.N. RAMACHANDRAN NAIR, JUDGE)

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